

## STATE OF VERMONT

## HUMAN SERVICES BOARD

In re ) Fair Hearing No. 15,218

)

Appeal of )

)

INTRODUCTION

The petitioner appeals the action of the Department of Social Welfare assigning her a different caseworker. The issue is whether that action conflicts with any applicable law.

FINDINGS OF FACT

The facts are not in dispute. The petitioner is a recipient of ANFC, Medicaid, and Food Stamps. In September, 1997, the Department notified the petitioner that effective October 1, 1997, a different caseworker would be assigned to the petitioner's cases in the district office where the petitioner resides.

At the hearing in the matter, held on November 12, 1997, the Department explained that case assignments in district offices are made alphabetically, and that from time to time, its alphabetical groupings of cases are realigned to evenly distribute the caseload among workers in any district office. The Department had recently instituted the process of notifying recipients in writing of impending caseworker changes.

The petitioner stated she has heard negative comments from others about her new caseworker, but that she has had no personal contact with that worker. The petitioner does not allege that her benefits for any program have been or will be adversely affected by the change in caseworkers. She maintains that changes in caseworkers are disruptive to recipients and that recipients should have some control over the caseworkers the Department assigns to their cases.

ORDER

The Department's action is affirmed.

REASONS

The Commissioner of the Department of Social Welfare is charged with the "effective administration" of the Department. 33 V.S.A. § 105. Except for privacy considerations, the law places no restrictions on general matters of administration. To the hearing officer's knowledge there are no provisions in any of the regulations governing the various programs administered by the Department that address individual

caseworker assignments.

The Department represents that caseworker assignments are made strictly alphabetically on the basis of caseload numbers and staffing coverage within individual offices. Consideration is given on a case-by-case basis to specific recipient complaints regarding individual caseworkers, but as a general matter alphabetical caseload groups are randomly assigned. Unfortunately, certain districts have a high turnover in staff and fluctuating numbers of active cases, which necessitate frequent caseload reallocations among caseworkers.

There is certainly nothing unreasonable in the petitioner's desire to continue with a caseworker with whom she feels comfortable and who is familiar with her particular circumstances. However, there is nothing in the statute or regulations that prevents the Department from reassigning her a new caseworker as part of an office wide reallocation of caseloads. Nor is there any provision that gives individual recipients the right as a general matter to choose one individual caseworker over another.

Inasmuch as the Department's action in this matter cannot be found to be in conflict with any applicable law, the Board is bound by law to affirm it. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 17.

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